

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

MARCUS D. MAYS,

Plaintiff,

v.

UNKNOWN SKYTТА, et al.,

Defendants.

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Case No. 2:19-cv-217

Hon. Hala Y. Jarbou

**ORDER**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants filed a motion for summary judgment (ECF No. 15). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on March 16, 2021, recommending that this Court grant Defendants' motions for summary judgment as to claims 1, 16, and 22 through 50, and dismiss those claims without prejudice (ECF No. 39). The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

**IT IS ORDERED** that the Report and Recommendation (ECF No. 39) is **APPROVED** and **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' Motion for Summary Judgment (ECF No. 15) is **GRANTED**, dismissing claims 1, 16 and 22 through 50 without prejudice. Defendants' motion is **DENIED** as to claims 2 through 15 and 17 through 21.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*,

114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

Dated: April 19, 2021

/s/ Hala Y. Jarbou  
HALA Y. JARBOU  
UNITED STATES DISTRICT JUDGE